

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BENJAMIN ROYAL,

Plaintiff,

v.

DETROIT PUBLIC SCHOOL COMMUNITY
DISTRICT, NIKOLAI VITTI,

Defendants.

Case No. 20-11947

SENIOR UNITED STATES DISTRICT
JUDGE ARTHUR J. TARNOW

U.S. MAGISTRATE JUDGE
DAVID R. GRAND

**ORDER REMANDING COUNTS I AND VII AND HOLDING THE EMERGENCY
MOTIONS FOR A TEMPORARY RESTRAINING ORDER [3, 6] IN ABEYANCE PENDING
NEGOTIATIONS**

Plaintiffs are school-teachers, bus drivers, and support staff for the Detroit Public School Community District (“DPSCD”). They bring this suit for injunctive relief to address what they allege are deficiencies in the DPSCD’s pandemic response. The case was filed on July 20, 2020 and removed to federal court the same day.

The Court held an on the record conference on the Temporary Restraining Order on July 21, 2020. For the reasons stated on the record, the Court will remand Counts I and VII of Plaintiff’s complaint: a mandamus action for enforcement of the

Governor's executive order and a claim under the Michigan Eliot Larsen Civil Rights Act. (ECF No. 1-1).

The parties are negotiating a stipulated order to resolve the concerns raised in the motion for a temporary restraining order.

Accordingly,

IT IS ORDERED that the Emergency Motions for a Temporary Restraining Order [3, 6] be **HELD IN ABEYANCE** until the end of the day: July 21, 2020 11:59 p.m.

IT IS FURTHER ORDERED that Counts I and VII of the complaint be **REMANDED** to Michigan Circuit Court for the County of Wayne.

SO ORDERED.

Dated: July 21, 2020

s/Arthur J. Tarnow

Arthur J. Tarnow

Senior United States District Judge